



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

3101 Park Center Drive  
Alexandria, VA 22302

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Reply to SF-113  
Attn. of:

11.0 NOV 1993

Subject: Policy Memorandum: 93-3  
Questions Raised During the October FMNP Meeting

To: Regional Directors  
Supplemental Food Programs  
All Regions

The National Association of Farmers' Market Nutrition Program Directors held their first annual meeting in Baltimore, Maryland on October 7-9. At that meeting a number of questions were raised during our program requirements session. We have attached these questions and our responses for your information.

If you have any questions regarding the questions and answers please contact Debbie Whitford or Debra Utting at (703) 305-2730.

*A. Frost*

ALBERTA C. FROST  
Director  
Supplemental Food Programs

Attachment

The following questions were raised during the State Plan Workshop at the Conference of the National Association of Farmers' Market Nutrition Programs on October 7, 1993.

1. Q. Can Commodity Supplemental Food Program participants also receive FMNP coupons?  
A. No, the law limits the program to WIC participants or WIC waiting list individuals.
2. Q. Should there be a cost allocation established between WIC and FMNP if WIC provides the nutrition education?  
A. No, FMNP cannot be charged for the provision of nutrition education (specific to benefits of consuming fresh fruits and vegetables) provided by WIC to WIC participants who are also FMNP recipients, if the nutrition education is part of the routine nutrition education ordinarily provided to WIC participants.
3. Q. Can a State allocate a portion of its **State-appropriated** funds for WIC to the FMNP and consider this part of the State matching requirement for FMNP?  
A. Yes, as long as the funds are specifically identified for the FMNP.
4. Q. Can payments to market managers for the processing of FMNP vouchers be considered an allowable administrative expense for the State? Can this be considered part of the State match?  
A. No, these are costs of doing business for the markets much the same as a store manager in a retail environment. As such, they cannot be considered as an allowable administrative expense for the State and cannot be considered as part of the State match requirement.
5. Q. By prohibiting/limiting participation of farmstands, are we discriminating against individual farmers who do not wish to participate in a farmers' market?  
Q. Who initiates the action to determine if farmstands should be authorized, the State or FNS? Can a farmer who has been denied authorization to operate a farmstand appeal to FNS for reconsideration of authorization?  
A. The State agency is responsible for authorization decisions regarding farmers and farmers markets. Where access is a serious problem a State agency may determine that farmstands are necessary to address recipient access needs. A State that has made such a

determination must provide its rationale in the State Plan and receive FNS approval prior to authorizing farmstands. FNS approval regarding the State agency decision will be provided through the State Plan approval process.

A farmer who has been denied authorization by the State to operate a farmstand because the State has chosen not to authorize farmstands cannot appeal to FNS for reconsideration of authorization. Providing that the State agency applies its authorization policies consistently, there should be no questions of discrimination.

6. Q. Do we actually want the survey forms completed by farmers and clients or do we want a summary of the survey results? What information should be included in the summary of results?  
A. We expect States to provide FNS with a summary of the survey results. The summary should include information on answers to each of the survey questions.
7. Q. What agencies are to be included in the provision that State agency must "review all local agencies at least every 2 years"?  
A. The agencies where FMNP coupons are issued must be reviewed every 2 years. These reviews can be included as part of the WIC management evaluation reviews of local agencies as long as the certification and issuance of FMNP coupons are included as part of the review.
8. Q. Will the following be considered allowable foods: Wild rice, legumes, nuts, dried chile peppers, edible flowers?  
A. No; allowable foods are limited to fresh fruits, vegetables and edible herbs.
9. Q. Will FNS allow for local food preferences?  
A. Within the broad categories of fresh fruits, vegetables, and edible herbs, a State agency may further define eligible foods to address local food preferences.
10. Q. Is the cost of bonding a farmers' market an allowable FMNP administrative expense?  
A. No; although initially the Department had indicated that bonding was a requirement, upon further consultation with our financial management office, we

have determined that States have the option to choose whether to establish bonding requirements. As such, the costs of bonding are not reimbursable administrative expenses.

11. Q. Are States required to report the costs of nutrition education if it is provided by a contractor or an agency other than the State agency?
  - A. States will not be required to report to FNS the costs of nutrition education provided by contractors or agencies other than the State agency. States must, however, maintain the necessary support documentation for all charges to the Program. Such documentation will be reviewed during management evaluations and financial reviews and audits of the State agency.